

JAN 23 2025

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Clerk, US District Court
Western District NC

UNITED STATES OF AMERICA

vs.

(1) JOSE MANUEL MONTOYA-OROZCO and
(2) BENITO MACEDO-BUENO

DOCKET NO.: 3:25-cr-7-FDW

BILL OF INDICTMENT

Violations: 21 U.S.C. § 841
21 U.S.C. § 846

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Possess with Intent to Distribute Cocaine)

On or about February 6, 2024, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendants,

**(1) JOSE MANUEL MONTOYA-OROZCO and
(2) BENITO MACEDO-BUENO,**

did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons, known and unknown to the Grand Jury, to possess with intent to distribute a controlled substance, that is, cocaine, a Schedule II controlled substance, a violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that, with respect to the conspiracy offense charged in Count One, five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, is attributable to and was reasonably foreseeable by **(1) JOSE MONTOYA and (2) BENITO MACEDO-BUENO**. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO
(Possession with the Intent to Distribute Cocaine)

On or about February 6, 2024, in Mecklenburg County, in the Western District of North Carolina, the defendant,

(2) BENITO MACEDO-BUENO,

did knowingly and intentionally possess with the intent to distribute a controlled substance, that is, cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Said offense involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT THREE
(Possession with the Intent to Distribute Cocaine)

On or about February 6, 2024, in Mecklenburg County, in the Western District of North Carolina, the defendant,

(1) JOSE MANUEL MONTOYA-OROZCO,

did knowingly and intentionally possess with the intent to distribute a controlled substance, that is, cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Said offense involved five-hundred (500) grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

NOTICE OF FORFEITURE AND FINDING OR PROBABLE CAUSE

Notice is hereby given of the provisions of Title 21, United States Code, Section 853, Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c). The following property is subject to forfeiture in accordance with Sections 853, 924, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this Superseding Bill of Indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;

- c. All firearms or ammunition involved or used in such violations; and
- d. If, as set forth in Title 21, United States Code, Section 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b), and (c).

The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

- a. Approximately \$50,000.00 in United States Currency seized on or about February 6, 2024.

A TRUE BILL

FOREPERSON _____

DENA J. KING
UNITED STATES ATTORNEY

EDWARD RYAN
ASSISTANT UNITED STATES ATTORNEY